



STATE OF LOUISIANA  
DEPARTMENT OF STATE CIVIL SERVICE  
**LOUISIANA BOARD OF ETHICS**  
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June 17, 2021

**VIA SHAREPOINT**

The Division of Administrative Law  
1020 Florida Street  
Baton Rouge, LA 70802

RE: *In the Matter of Robert A. Berry*  
Agency Tracking No.: 2020-622

Dear Ms. Duhon:

On behalf of the Louisiana Board of Ethics, please file the attached *Charges* in the referenced matter.

If you have any questions, please do not hesitate to contact me at 225-219-5619, and thank you.

Kindest regards,

LOUISIANA BOARD OF ETHICS

A handwritten signature in black ink, reading "Elizabeth W. Barrouquere".

Elizabeth Barrouquere  
Staff Paralegal

Enclosures

cc: Mr. Robert A. Berry (via certified mail no. 70200640000079867974)

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**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

<b>BOARD OF ETHICS</b>	*	<b>DOCKET NO. -ETHICS-</b>
	*	
<b>IN THE MATTER OF</b>	*	
	*	
<b>ROBERT A. BERRY</b>	*	<b>AGENCY TRACKING NO. 2020-622</b>

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**CHARGES**

The Louisiana Board of Ethics ("BOE") voted on June 3, 2021 to and does hereby file the following Charges:

1.

The BOE is an agency of the State of Louisiana domiciled in East Baton Rouge Parish, Louisiana.

2.

The BOE is authorized to file these Charges by virtue of provisions of La. R.S.1141C(3)(a) and (b); the Ethics Adjudicatory Board has jurisdiction over this matter pursuant to La. R.S. 42:1141C(3)(a) and La. R.S. 42:1141.5, and East Baton Rouge Parish, the domicile of the BOE and Ethics Adjudicatory Board, is the proper venue pursuant to La. R.S. 42:1141.3.

3.

Made Respondent herein is:

Robert Berry ("Respondent"), a person of the full age of majority, domiciled in the Parish of Bossier, with a last known address of 125 Carondelet Ct., Bossier City, Louisiana 71111.

4.

Cypress-Black Bayou Recreation and Water Conservation District ("District") is a political subdivision of the State of Louisiana created by Act 292 of 1958 and governed by a board of five commissioners, each appointed by either the Bossier Parish Policy Jury, the Mayor of the City of

Bossier, the Mayor of the Town of Benton, the Bossier Parish School Board or the Board of Commissioners of the Bossier Levee District.

5.

On March 15, 2011, the Cypress Black Bayou Recreation and Water District Board (“Board”) appointed the Respondent to fill an unexpired term of a Board member who resigned.

6.

On June 3, 2013, the Respondent was hired by the Board as Interim Executive Director of the District, while still serving in his capacity as a member of the Board.

7.

On July 17, 2013, the Bossier Parish Police Jury appointed the Respondent to the Board to serve a full, five-year term through July 31, 2018; on July 6, 2018, the Bossier Parish Policy Jury reappointed the Respondent to another five-year term through July 31, 2023. Respondent has served on the Board continuously at all times pertinent herein.

8.

On December 9, 2014, in a unanimous vote, the Respondent was appointed by the Board as the permanent position Executive Director of the District.

9.

For the years 2017 through 2020, the Respondent, in his capacity as Executive Director of the District, received the following in wages, tips and other compensation:

2017: \$115,266.74

2018: \$127,124.97

2019: \$125,768.28

2020: \$157,700.84

10.

The Respondent, in his capacity as the District's Executive Director, also receives reimbursements for cell phone usage.

11.

Members of the Board are paid a \$40 per diem per meeting attended.

12.

La. R.S. 42:1113B provides that:

Other than a legislator, no appointed member of any board or commission, member of his immediate family, or legal entity in which he has a substantial economic interest shall bid on or enter into or be in any way interested in the contract, subcontract, or other transaction which is under the supervision or jurisdiction of the agency of such appointed member.

13.

La. R.S. 42:1112A provides that:

No public servant...shall participate in a transaction in which he has a personal substantial economic interest of which he may be reasonably expected to know involving the governmental entity.

14.

La. R.S. 42:1102(15) defines "participate" to mean:

to take part in or to have responsibility for action of a governmental entity or proceeding, personally, as a public servant of the governmental entity, through approval, disapproval, decision, recommendation, the rendering of advice, investigation, or the failure to act or perform a duty.

15.

La. R.S. 42:1102 (23) defines "Transaction involving the governmental entity" to mean:

any proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other such particular matter which the public servant or former public servant of the governmental entity in question knows or should know: (a) Is, or will be, the subject of action by the governmental

entity. (b) Is one to which the governmental entity is or will be a party. (c) Is one in which the governmental entity has a direct interest.

16.

La. R.S. 42:1153B provides with respect to penalties:

Upon a determination that any public employee or other person has violated any provision of any law within the jurisdiction of the Board of Ethics ... the Ethics Adjudicatory Board may remove, suspend, or order a reduction in pay, or demotion of the public employee or other person, or impose a fine of not more than ten thousand dollars, or both.

17.

La. R.S. 42:1155 provides with respect to penalties for illegal gain:

If an investigation conducted pursuant to this Part reveals that any public servant or other person has violated any law within the jurisdiction of the Board of Ethics to his economic advantage, and after an adjudicatory hearing on the matter, the Ethics Adjudicatory Board may order the payment of penalties. Recovery may include, in addition to an amount equal to such economic advantage, penalties not to exceed one half of the amount of the economic advantage.

18.

Based on the foregoing facts, Robert A. Berry, while serving as a Cypress Black Bayou Recreation and Water District Board member, violated La. R.S. 1113B by entering into or being in any way interested in transactions which were under the supervision or jurisdiction of the Board while continuously serving as Executive Director of the District from 2013 to present.

19.

Based on the foregoing facts, Robert A. Berry, while serving as a Cypress Black Bayou Recreation and Water District Board member, violated La. R.S. 1112A by participating in transactions as a Board member in which he knew or reasonably should have known that he had a substantial economic interest arising from his service as executive director of the District from

2013 to present.

20.

In accordance with La. R.S. 42:1141C(3)(b)(iv), the Board designates Suzanne Quinlan Mooney, Tracy M. Barker, Gregory L. Thibodeaux, LaToya D. Jordan, Charles E. Reeves, Jr. and David M. Bordelon as the Board's trial attorneys in this matter.

**WHEREFORE**, the Louisiana Board of Ethics requests that the Ethics Adjudicatory Board (a) conduct a hearing on the foregoing charges; (b) determine that Robert A. Berry violated La. R.S. 42:1113B; (c) determine that Robert A. Berry violated La. R.S. 42:1112A and (d) assess appropriate penalties in accordance with the recommendation of the Louisiana Board of Ethics to be submitted at hearing.

Respectfully Submitted,

**LOUISIANA BOARD OF ETHICS**



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Suzanne Quinlan Mooney, Bar Roll No. 23904

Tracy M. Barker, Bar Roll No. 27005

Gregory L. Thibodeaux, Bar Roll No. 18463

LaToya D. Jordan, Bar Roll No. 33208

Charles E. Reeves, Jr., Bar Roll No. 33453

David M. Bordelon, Bar Roll No. 32350

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Email: [david.bordelon@la.gov](mailto:david.bordelon@la.gov)

*Trial Counsel for the Board of Ethics*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the *Charges* has been issued for service to the Respondent,  
Robert A. Berry, at his las known address, by certified mail in accordance with La. R.S.42:1141.4,  
on this 17 day of June, 2021.

**ROBERT A. BERRY**  
125 Carondelet Ct.  
Bossier City, Louisiana 71111

  
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Suzanne Quinlan Mooney